AGENDA

ASSEMBLY BUDGET SUBCOMMITTEE NO. 2 ON EDUCATION FINANCE

Assemblymember Kevin McCarty, Chair

TUESDAY, FEBRUARY 24, 2015

9:00 AM - STATE CAPITOL ROOM 444

OVERVIEW OF THE GOVERNOR'S 2015-16 PROPOSITION 98 FUNDING PROPOSAL

I. OPENING REMARKS

Assemblymember McCarty, Chair

Committee Members

II. BUDGET PERSPECTIVES

Tom Torlakson, Superintendent of Public Instruction

III. GOVERNOR'S 2015-16 BUDGET PROPOSALS: PROPOSITION 98 FUNDING

Kenneth Kapphahn, Legislative Analyst's Office

Lisa Mierczynski, Department of Finance

Monique Ramos, Department of Education

IV. LONG-TERM SCHOOL FUNDING ADEQUACY (INFORMATION ONLY)

Edgar Cabral, Legislative Analyst's Office

Monique Ramos, Department of Education

Superintendent Cindy Marten, San Diego Unified School District

V. PUBLIC COMMENT

ITEMS TO BE HEARD

6110 DEPARTMENT OF EDUCATION

ISSUE 1: 2015-16 GOVERNOR'S BUDGET PROPOSAL: PROPOSITION 98 FUNDING

The issue for the Subcommittee to consider is the Proposition 98 funding level for the 2015-16 Fiscal Year.

PANELISTS

- Kenneth Kapphahn, Legislative Analyst's Office
- Lisa Mierczynski, Department of Finance
- Monique Ramos, Department of Education

BACKGROUND

Proposition 98, approved by voters and enacted in 1988, amended California's Constitution and established an annual minimum funding level for K-14 education (K-12 schools and community colleges). The intent of Proposition 98 was to create a stable funding source for schools, which grows with the economy and student attendance. Two years later, Proposition 111 was also enacted, which made significant changes to Proposition 98 to allow for lower K-14 funding when General Fund revenues are weak, and significant growth when revenues improve. Propositions 98 and 111 created three formulas, or "tests," to calculate the minimum funding level for schools, also called the "minimum guarantee."

- Test 1 Share of General Fund. Provides the same percentage of General Fund revenues appropriated to schools and community colleges in 1986-87, or approximately 40 percent.
- Test 2 Growth in Per Capita Personal Income. Provides the prior year funding level adjusted for growth in the economy (as measured by per capita personal income) and K-12 attendance. Applies in years when state General Fund growth is relatively healthy and the formula yields more than under Test 1.
- <u>Test 3 Growth in General Fund Revenues.</u> Adjusts prior-year funding for changes in attendance and per capita General Fund revenues. Generally, this test is operative when General Fund revenues grow more slowly than per capita personal income.

The Constitution provides two comparisons for determining which test to use in calculating the minimum guarantee. First, compare Test 2 and Test 3 and select the test with the lower amount of funding. Compare that test to Test 1 and select the test with the higher amount of funding to determine your minimum guarantee. The State has the option of funding the designated minimum guarantee, funding above the minimum guarantee or "suspending" the

guarantee to provide less funding than the formula requires. Suspending the Proposition 98 guarantee requires a two-thirds vote by the Legislature. The minimum guarantee for the 14-15 fiscal year was determined by "Test 1." It is expected that "Test 2" will apply for the 2015-16 fiscal year.

Proposition 111 also created the "maintenance factor," which was intended to help the State balance the budget in tough economic times. Maintenance factor is created in Test 3 years or if the minimum guarantee is suspended. Essentially, in times of slow economic growth, when the State cannot provide the Test 2 level of funding, the State keeps track of the funding commitment and eventually restores the Proposition 98 guarantee to what it would have been had education funding grown with the economy. Proposition 98 also uses a formula to dictate how much maintenance factor is paid back in strong fiscal years. The Governor's budget provides a maintenance factor payment of \$725 million in 2015-16. This would result in a maintenance factor balance of \$1.9 billion at the end of 2015-16.

Overall Proposition 98 Funding

Since the Great Recession, education funding has improved considerably due to the recovering economy and the passage of Proposition 30. The Governor's budget assumes that schools will receive \$65.7 billion in 2015-16. This is \$4.9 billion above the 2014-15 Budget Act level. As shown in the chart below, the increase in Proposition 98 funding is driven by growth in General Fund revenue and increased property tax revenue.

Proposition 98 Funding (Dollars in Millions)								
	2013-14	2014-15	2015-16	Change From 2014-15				
	Revised	Revised	Proposed	Amount	Percent			
Preschool	507	664	657	-8	-1%			
K-12 Education								
General Fund	38,005	41,322	41,280	-43	0%			
Local property tax revenue	13,671	14,184	16,068	1,885	13%			
Subtotals	51,675	55,506	57,348	1,842	3%			
California Community Colleges								
General Fund	4,235	4,581	5,002	421	9%			
Local property tax revenue	2,178	2,321	2,628	307	13%			
Subtotals	6,413	6,902	7,630	728	11%			
Other Agencies	78	80	80	0	0%			
Totals	58,673	63,153	65,716	2,563	4%			
General Fund	42,824	46,648	47,019	371	1%			
Local property tax revenue	15,849	16,505	18,697	2,192	13%			

Source: Legislative Analyst's Office

The Governor's budget also updates its estimates of the minimum guarantee in prior years. The 2013-14 minimum guarantee is \$371 million above the estimate made in the 2014-15 budget. This increase is due to an increase in General Fund revenue and a slight increase in

K-12 enrollment. The revised 2014-15 minimum guarantee is estimated to be \$2.3 billion above the level assumed in the 2014-15 budget. This increase is almost entirely due to increased General Fund revenue. Because the Proposition 98 level is determined by the "Test 1" formula in 2014-15, increased General Fund revenue results in nearly a dollar-fordollar increase on the minimum guarantee. This increase in revenue results in an additional maintenance factor payment in 2014-15 (\$1.2 billion above the amount provided in the 2014-15 budget act). The Governor also proposes to make a \$256 million settle-up payment to pay down obligations the state owes from 2006-07 and 2009-10.

School Attendance

School attendance declined slightly in 2012-13 and began increasing in 2013-14. The Governor projects that average daily attendance (ADA) will increase by 8,166 in 2014-15 and decrease by 585 in 2015-16 for a total of 6,000,148.

Major Proposition 98 Spending Proposals

The Governor's 2015-16 budget includes a total of \$7.8 billion in Proposition 98 spending increases. This includes \$371 million from 2013-14, \$2.3 billion from 2014-15, \$4.9 billion in 2015-16 and \$256 million related to earlier years. The Governor proposes to spend the increase in Proposition 98 funding on a combination of debt repayment and programmatic spending. The Subcommittee will examine the Governor's spending proposals in more detail in subsequent hearings.

Major K-12 Proposals:

- Eliminates the remaining \$992 million in payment deferrals to K-14 schools.
- Provides an additional \$4 billion for the third year of implementing the Local Control Funding Formula (LCFF), in order to help schools reach their target funding level.
- Dedicates \$500 million in Proposition 98 General Fund for the Adult Education Block Grant for schools and community colleges. For 2015-16, a portion of this funding will be used to replace LCFF funding for adult education programs operated by K-12 schools. The remaining funding would be distributed by the Chancellor's Office and State Superintendent to regional consortia to be further distributed by "allocation committees." In future years all funding would be allocated to the regional consortia for distribution by the allocation committees.
- Includes \$250 million in one-time Proposition 98 funding in each of the next three years for a transitional Career Technical Education Incentive Grant Program for school districts, County Offices of Education and charter schools.
- Provides recommendations for designing a new school facilities program. These
 recommendations include: increasing local control, targeting state funding for districts
 most in need and augmenting the Charter School Facility Grant Program.
- Dedicates \$1.1 billion in one-time Proposition 98 funding to pay down the K-12 education mandate backlog, with the intent that the funding freed up from this payment

be used for school districts, charter schools and county offices of education to further implement the Common Core State Standards.

- Provides \$100 million in one-time Proposition 98 funding to assist schools that lack sufficient internet connectivity and technology infrastructure.
- Dedicates \$273.4 million in one-time Proposition 98 funding for the Emergency Repair Program, eliminating the state's remaining obligation under the Williams settlement.
- Allocates \$368 million in energy efficiency projects through funds available from Proposition 39.

Major CCC Proposals:

- Increases support for student success programs by \$200 million Proposition 98
 General Fund, including \$100 million to increase orientation, assessment, placement,
 counseling and other planning services, and \$100 million to close achievement gaps
 and access between underrepresented groups and their peers as identified in local
 student equity plans.
- Provides \$125 million Proposition 98 General Fund to increase base allocation funding in recognition of increased operating expenses, retirement benefit costs, professional development costs, efforts to convert part time to full-time faculty, and other general expenses.
- Calls for 2% enrollment growth and provides \$106.9 million Proposition 98 General Fund to support growth, and notes that this growth funding shall be distributed based on a new growth formula described in 2014 budget legislation.
- Provides \$92.4 million Proposition 98 General fund to support a 1.58% Cost of Living Adjustment.
- Expands apprenticeship programs and provides \$29.1 million for the programs, including \$15 million to create new apprenticeship projects that address emerging industries and unmet labor market demand.
- Supports the Career Technical Education Pathways Program by providing \$48 million in one-time Proposition 98 General Fund.
- Provides \$49 million Proposition 98 General fund to reflect increased rates for enhanced non-credit courses, as outlined in 2014 budget legislation.
- Provides \$353.3 million Proposition 98 General Fund to continue paying down outstanding mandate claims. The funding is intended to help colleges reduce debt, address deferred maintenance and other instructional equipment needs, and other one-time costs.

The chart below outlines the specific changes proposed by the Governor for 2015-16.

Figure 13	
Proposition 98 Spending Changes	
(In Millions)	
2014-15 Budget Act Spending Level	\$60,859
Technical Adjustments	\$279
K-12 Education	
Pay down deferrals (one time)	\$897
Pay down mandate backlog (one time)	829
Subtotal	(\$1,726)
California Community Colleges	
Pay down mandate backlog (one time)	\$146
Pay down deferrals (one-time)	94
Provide funding for CTE Pathways Initiative (one time)	48
Subtotal	(\$288)
Total Changes	\$2,294
2014-15 Revised Spending Level	\$63,153
echnical Adjustments	
Remove prior-year, one-time payments	-\$3,503
Adjust energy efficiency funds	15
Annualize funding for 4,000 new preschool slots	15
Make other adjustments	166
Subtotal	(-\$3,307)
C-12 Education	***
Fund LCFF increase for school districts	\$4,048
Found Internet infrastructure grants (one time)	100 71
Provide K-12 COLA for select programs ncrease funding for the Charter School Facility Grant Program	50
Subtotal	(\$4,270)
Norkforce Education and Training	(, ,,=, -,
Fund adult education consortia	\$500
fund career technical education grants (one time)	250
fund certain noncredit courses at credit rate	49
fund new apprenticeships in high-demand occupations	15
ncrease funding for established apprenticeships	14
Subtotal	(\$828)
California Community Colleges	
Augment student support programs	\$200
Augment CCC funding (to be specified in May Revision) ^a	170
Pay down mandate backlog (one time)	125
Provide apportionment increase (above growth and COLA)	125
Fund 2 percent enrollment growth	107 92
Provide 1.58 percent COLA for apportionments Remove enrollment stability funding	92 -47
Subtotal	(\$772)
Total Changes	\$2,563
2015-16 Proposed Spending Level	\$65,716
The Governor's January budget omitted \$170 million in available Proposition 98 funds. The administration specified CCC purposes in the May Revision. CTE = Career Technical Education; LCFF = Local Control Funding Formula; and COLA = cost-of-living accounts.	indicates it will budget these funds to

Source: Legislative Analyst's Office

Proposition 98 "Wall of Debt"

The Legislature and Governor have made significant progress in paying down the state's outstanding obligations owed to schools and community colleges in recent years. Just a year ago, the state had a total of \$11.5 billion in debt owed to schools, including deferrals, mandate claims, the Emergency Repair Program, and the Quality Education Investment Act. The 2014-15 budget retired much of this debt by making the final Quality Education Investment Act payment of \$410 million, providing \$189 million for the Emergency Repair Program and dedicating \$5.2 billion toward deferred payments to schools.

The Governor's 2015-16 budget proposes to make the final payment of \$273 million for the Emergency Repair Program and dedicates \$1.5 billion toward paying down the K-14 mandate backlog. Under the Governor's plan, the Department of Finance estimates the remaining mandate backlog at the end of 2015-16 would be \$4 billion.

The state also has \$1.6 billion in outstanding one-time Proposition 98 obligations known as "settle-up" obligations. A settle-up obligation is created when the minimum guarantee increases midyear and the state does not make an additional payment within that fiscal year to meet the higher guarantee. The majority of the state's existing settle-up obligation is from an increase in the 2009-10 Proposition 98 obligation. The Governor proposes to provide a settle-up payment of \$256 million in 2015-16. Settle-up funds can be used for any educational purpose, including paying off other state one-time obligations. Of the \$256 million proposed by the Governor, \$163 million would be used for the Emergency Repair Program and \$93 million to pay down the mandate backlog.

K-14 Deferrals

During the recession, Proposition 98 deferrals became a common budgeting tactic for balancing the State budget. By delaying Proposition 98 payments owed to schools from one budget year to the next, the State is able to achieve one-time savings without cutting programmatic spending. By the end of 2011, a total of \$10.4 billion in Proposition 98 payments were being paid late, approximately 21 percent of the total Proposition 98 support. As a result, many districts struggled with cash flow issues and were forced to turn to short term borrowing at their own expense.

The 2012-13 budget began the process of retiring K-14 deferral payments by providing a total of \$2.2 billion toward deferral buy down. By 2014-15 the state owed \$6.2 billion in deferral payments. The 2014-15 budget provided \$5.2 billion to repay deferrals and required that funding increases in 2013-14 and 2014-15 first be used to pay all remaining payment deferrals to schools totaling \$992 million (\$897 million for K-12 schools and \$95 million for community colleges). Due to the increases in the Proposition 98 funding levels in prior years, the state is on track to fully eliminate the deferrals in 2015-16.

LAO Recommendations on Overall Proposition 98 Proposal.

Overall, the LAO considers the Governor's budget a reasonable mix of one-time and ongoing spending. The LAO believes the Governor's approach to paying off existing obligations makes sense, particularly while state revenues are strong and before the next economic downturn. The LAO believes the state's revenue estimates for 2014-15 could be up \$1 billion to \$2 billion come May, resulting in a significant increase in the Proposition 98 level for both

2014-15 and 2015-16. The LAO cautions the Legislature in committing all these funds for ongoing purposes because state revenues in future years are uncertain.

STAFF COMMENTS/QUESTIONS

Since the Proposition 98 funding level is determined largely by General Fund revenues, the Subcommittee should have the most up to date revenue estimates prior to constructing a specific Proposition 98 spending plan. Updated revenue estimates will be available in May when the Governor releases his revised budget. <u>Staff recommends</u> the Subcommittee hold all major Proposition 98 actions open until after the Governor's May Revision.

Suggested Questions:

- What are the major factors resulting in the increased investment of \$7.8 billion in K-14 education?
- Given that January revenue was about \$512 million above estimates in the Governor's budget, does the Administration and LAO anticipate this trend to continue?
- What would be the impact on the Proposition 98 level if revenues come in higher or lower than expected in 2014-15? How would this impact the 2015-16 minimum guarantee?
- What is the Administration's timeline for paying off the remaining debt owed to schools, such as the education mandates backlog?

Staff Recommendation: Hold Open Pending May Revision

ISSUE 2: LONG-TERM SCHOOL FUNDING ADEQUACY (INFORMATION ONLY)

The Subcommittee will hear the history of education funding in California over time and current projections for future funding. The Subcommittee will also consider some of the larger overarching questions related to long-term funding for schools. These questions include:

- What is adequate funding for schools?
- What should be the state's funding goals?
- How can California reach these goals?

This is an informational item with the purpose of beginning a conversation about providing adequate funding levels for schools in order to meet the state's educational goals.

PANELISTS

- Edgar Cabral, Legislative Analyst's Office
- Monique Ramos, Department of Education
- Superintendent Cindy Marten, San Diego Unified School District

BACKGROUND	
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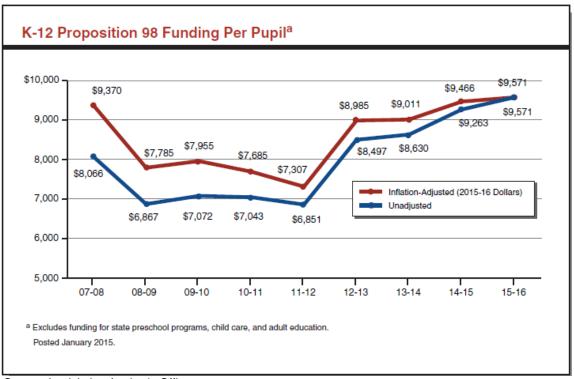
California's schools are funded through state, local and federal funds. State funding makes up the largest portion of funding for schools (63 percent). Local funding, such as property taxes, makes up 26 percent of school funding and federal funds contribute 11 percent. Most of this funding is used for instruction, including providing teacher salaries and benefits. Other costs include construction and maintenance of facilities, student services (such as transportation, school meals and counselors), and administration.

Total funding for schools and community colleges is largely driven by formulas created through Proposition 98, as discussed earlier in this agenda. Proposition 98 created a minimum funding level for schools, determined by a series of formulas, or "tests," outlined in the State Constitution. These tests take into account multiple factors including K-12 enrollment, per capita personal income, and per capita General Fund revenue. Due to Proposition 98, approximately 40 percent of the state's budget is dedicated to California's schools and community colleges.

Even with the protections of Proposition 98, funding for schools has been especially volatile in recent years. During the Great Recession, state revenues declined and education funding was reduced by approximately 15 percent. Since the recession, education funding has improved considerably due to the recovering economy and the passage of Proposition 30. As discussed in the previous agenda item, the Governor's budget provides \$65.7 billion for K-14 schools in 2015-16, a 39 percent increase from four years ago.

Per-Pupil Funding

As shown in the chart below, per-pupil spending under the Governor's plan is expected to be \$9,667 in 2015-16, a significant increase since 2011-12. However, despite the significant increases in school funding in recent years, per-pupil spending under the Governor's plan is only \$201 above the 2007-08 funding level, when adjusted for inflation.



Source: Legislative Analyst's Office

According to the new U.S. Census Bureau report, California's total state spending in the 2011-12 fiscal year was well above the national average. However, California's spending on education during this time was below the national average. It has been widely publicized in recent years that California ranks far below other U.S. states in per-pupil spending on education. In 2011-12, the most recent data comparison, California was ranked 46th in per pupil spending according to Education Week's annual *Quality Counts* report. California's average per-pupil amount of \$8,308 in 2011-12 was significantly below the national average of \$11,735 (adjusted for regional cost differences). This was a slight improvement from 2010-11, when California was ranked 50th.

Education Funding Goals

With the passage of Proposition 98 in 1988, two educational goals were added to the State Constitution (Art. XVI, Sec. 8.5). Proposition 98 established the statewide goal that that annual per-student spending would equal or exceed the per-student spending of the top ten states across the nation. Proposition 98 also included the goal that average class size would be equal to or less than the average class size of the ten states with the lowest class sizes.

Unfortunately, California has not reached these goals. As mentioned above, California was ranked 46th in per-pupil spending in the most recent report. Additionally, according to National Education Association's most recent rankings from 2012, California had the highest number

of students enrolled per teacher in public elementary and secondary schools. At this time, California's average number of students per teacher was 24.9 (much higher than the national average of 15.9).

Research on Adequate School Funding

There has been a whole host of research done on improving California's education system over the past decade. One research project to note is the *Getting Down to Facts* study released in 2007. This project brought together a number of top researchers who sought to address three broad questions:

- 1. What do California school finance and governance systems look like today?
- 2. How can we use the resources that we have more effectively to improve student outcomes?
- 3. To what extent are additional resources needed so that California's students can meet the goals that we have for them?

This study made several findings regarding school finance in California, including that education spending in California was far below the national average. The study also found California's school funding model to be inequitable, overly complex, irrational, and highly centralized.

In 2012, Getting Down to Facts: Five Years Later was released, which sought to update the original report's findings and recommendations. This study made similar findings regarding California's school finance system and embraced the idea of a "weighted student formula." Both of these studies came to the conclusion that solely directing more money into the current system would not dramatically improve student achievement and will meet neither expectations nor needs. Instead, these studies suggest making significant reforms, while also recognizing that additional funding for a new system is necessary.

Local Control Funding Formula

The Local Control Funding Formula (LCFF) addressed many of the criticisms raised by researchers. This formula fundamentally changed the way we allocate resources to schools by targeting additional funding to students that require additional attention in the classroom, including low-income, English learners and foster youth students. However, while the LCFF changed the way we allocate funding, this new formula did not provide any additional resources for schools. Because the state could not afford to fully fund the LCFF when it was enacted, the state set target rates which would be funded over the next several years. When the LCFF was enacted, it was estimated that the formula would not be fully funded until 2020-21. While districts with high concentrations of unduplicated students (low-income, English learners and foster youth) will receive a significant boost in funding through the LCFF, other districts with low concentrations of unduplicated students may only be restored to their prerecession funding levels. In addition, many districts argue that the state should recognize the increases in fixed costs that school districts are facing, such as higher employer contributions for CalSTRS and CalPERS, increasing transportation costs, and rising special education costs.

Proposition 30

Although Proposition 30 helped to provide temporary relief from California's severe budget deficit, it does not provide a long-term solution to California's funding needs. Passed by

voters in 2012, Proposition 30 temporarily increased the state sales tax rate for all taxpayers and the personal income tax (PIT) rates for upper-income taxpayers. These temporary tax increases provide additional revenues to pay for programs funded in the state budget and prevented additional trigger cuts to schools in excess of \$5 billion. According to the Governor's long-term forecast, Proposition 30 generates between \$6.3 and \$7.3 billion in each of the five years starting in 2013-14, and accounts for between 5 and 6 percent of General Fund resources. These temporary state tax increases are scheduled to begin to phase out in 2016-17 and will fully expire in 2018-19 (state sales tax increase expires in 2016-17 and PIT increase expires in 2018-19).

STAFF COMMENTS/QUESTIONS

Despite the increased funding for schools in recent years, California has a long way to go to reach the funding goals set forth in the Constitution through Proposition 98. And while the passage of Proposition 30 was essential in preventing devastating trigger reductions to schools, these temporary state tax increases are scheduled to begin to phase out in 2016. With the expiration of Proposition 30 looming, the Legislature may want to explore securing additional funding sources for schools.

As highlighted in the *Getting Down to Facts* studies, simply adding more funding into the system may not significantly improve student outcomes. However, California has made significant reforms through the Local Control Funding Formula and the adoption of new content standards in recent years. Schools should be provided adequate funding for these reform efforts to be successful and to meet the state's educational goals. Although additional funding provided through the LCFF would be subject to local decision making and priorities, the Legislature should consider what services school districts would invest in if provided additional resources and how these services will improve student outcomes and help close the achievement gap.

Suggested Questions:

- Does the Administration believe that the LCFF targets represent adequate funding for schools? Should these targets be adjusted when fixed costs increase?
- Does the Administration or LAO anticipate another economic downturn in the near future? How would this impact schools?
- How will the expiration of Proposition 30 impact school funding?
- How does San Diego Unified plan to use the increased funding provided through the LCFF? What activities would San Diego Unified invest in if additional ongoing funding were provided? How will these activities improve student outcomes?

Staff Recommendation: Information only.